

1 Beatrice Kozera (CONS/PE)**Case No. 10CEPR00351****Conservator Albert Franco (pro per)****Conservator Patricia Leonard (pro per)****Probate Status Hearing Re: Filing of the Third Account.**

DOD: 8/15/13	ALBERT FRANCO and PATRICIA LEONARD are conservators of the person and estate.	NEEDS/PROBLEMS/COMMENTS: Continued from 4/24/15. Minute order states Albert Franco and Patricia Leonard are ordered to be personally present or to appear via Court Call on 5/7/15.; the Court will discuss the necessity for filing a report in this matter and a separate probate for the estate.
	Order approving second account and report was approved on 2/21/13.	
Cont. from 042415	Property on hand at the end of the second account included real property and cash in the sum of \$2,518.86.	
Aff.Sub.Wit.	Minute order dated 2/21/13 set this status hearing for the filing of the third account.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Notice of Unavailability of Conservators filed on 4/21/15 states the conservators are unable to attend the hearing on 4/24/15. If another hearing is required to close the case after notice of the conservatee's demise Mr. Franco (conservator) requests the court let him know.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Mr. Franco states the conservatee died on 8/15/13. Mr. Franco apologizes for waiting on the Notice of her demise but he was trying to figure out what needed to be done next and didn't have the funds to hire an attorney.	
Letters		
Duties/Supp		
Objections		
Video Receipt	Mr. Franco states it is his understanding that the conservatorship ended with the conservatee's death but the court still has jurisdiction for a final accounting, if necessary. Mr. Franco humbly requests that the court find it is not necessary and, based on the Second Account current which was approved on 2/21/13, close this case.	
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	There is no will and Mr. Franco and his sister are the only heirs to the remaining assets of this estate which is still essentially his mother's house. They are prepared and willing to open a new probate case to complete the disposition of his mother's estate.	

Reviewed by: KT**Reviewed on: 5/5/15****Updates:****Recommendation:****File 1 - Kozera**

Atty Neilson, Bruce A. (for Janette Courtney – Executor – Petitioner)
 Atty Dawson, Joanne E. (Pro Per – Beneficiary – Objector)

(1) First and Final Account and Report of Executor and Petition for Its Settlement,
 (2) for Allowance to Executor and Attorneys for Compensation for Ordinary and
 Extraordinary Services and for (3) Final Distribution

DOD: 6-9-11		<p>JANETTE COURTNEY, Executor with Full IAEA without bond, is Petitioner.</p> <p>Account period: 9-15-11 through present Accounting: \$560,956.26 Beginning POH: \$498,824.07 Ending POH: \$78,381.91 cash (Mariposa real property now distributed)</p> <p>Executor (Statutory): \$14,171.36</p> <p>Attorney Bruce A. Neilson (Statutory): \$14,171.36</p> <p>Attorney Bruce A. Neilson (Extraordinary): \$1,000.00 (for services in connection with the sale of the Visalia commercial real property, pursuant to Local Rule 7.18.A.)</p> <p>Attorney Scott Ivy (Extraordinary): \$62,049.28 (for services in connection with the litigation filed against Petitioner and this estate, pursuant to declaration and itemization at Exhibit B) Petitioner has already paid said attorney compensation from her own funds and requests reimbursement from the estate.</p> <p>Closing: \$2,500.00</p> <p>Petitioner states because there insufficient funds in the estate to pay the executor and attorney's fees in full, Petitioner and her attorney will accept a prorated portion of the cash remaining in the estate after the reserve for taxes and closing expenses is deducted. Any unused portion of the reserve after the above payments shall be distributed in equal shares to the residuary beneficiaries.</p> <p>Distribution pursuant to Decedent's will: Steven Thomas: Real property in Mariposa (specific bequest)</p> <p>Petitioner states after payment of the expenses of administration as set forth above there does not appear to be any remaining cash for distribution to the beneficiaries. Any remaining cash assets after closing expenses, attorney's fees and executor's fees are paid will be divided in equal shares to Janette Courtney, David A. Thomas, Joanne E. Dawson, and Sandra L. Thompson.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Min. Order 2-26-15:</u> Joann Dawson, Dennis Thomas, and Steven Thomas all state that they do not object to preliminary distribution of the Mariposa property; Janette Courtney does object for the record. The Court finds good cause to grant the request for preliminary distribution due to Ms. Courtney's failure to make the mortgage payments and the property being near loss. Ms. Dawson is to file written objections regarding the remaining issues by 3/26/15; any replies to the objections are due by 4/9/15. The Court reserves the right to not allow late filed documents. Mr. Neilson submits an order for preliminary distribution.</p> <p><u>Note:</u> Order of Preliminary Distribution entered 2-27-15 distributes the Mariposa real property to Steven Thomas pursuant to the Decedent's will.</p> <p><u>Update:</u> Objections filed 3-23-15. Responses to Objections filed 4-9-15 SEE PAGE 2</p>	
Cont from 022515, 022615				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			9-15-11
<input type="checkbox"/>	Duties/Supp			
<input checked="" type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			

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NEEDS/PROBLEMS/COMMENTS: The following remain noted for reference.

1. Petitioner paid extraordinary fees totaling \$62,049.28 to Attorney Scott Ivy in connection with the litigation against the estate, and requests reimbursement. The Court may require clarification with reference to Cal. Rules of Court 7.700.

Note: Exhibit B, Attorney Declaration Re Compensation, describes the benefit to the estate, and provides itemization in the form of billing statements for services in connection with the Petition to Determine Validity of Trust Instruments filed 12-19-11 in this matter and the related civil action, 11CECG04320. The declaration states the litigation was successfully settled to the benefit of the estate, as the Drummond Company agreed not to seek collection of outstanding loans owing by the decedent, saving the estate in excess of \$200,000.00. The litigation had stalled the sale of the Visalia property owned by the estate, and by the settlement, the complaining party agreed not to object to the sale, opening the way for the sale to provide funds to the estate. The parties agreed that the settlement would not impair or impede Petitioner's right to petition the probate court for reimbursement of her attorney's fees and costs incurred in the litigation. Petitioner paid for the defense from her own funds, for reasonable attorney's fees for extraordinary services, and should be reimbursed for \$62,049.28.

Update: Please note discussion re this amount in the Objection and Response.

2. Many of the expenses charged include expenses considered by this Court to be costs of doing business and not reimbursable, such as charges for photocopies, computer research fees, clerical services, travel/telephonic appearance costs, and runner/document services. The Court may disallow these charges. (Examiner calculates a total of \$1,251.86 in non-reimbursable expenses.)
3. The total cost also includes \$3,867.82 in interest charged on the various billing statements. The Court may require clarification or authority for interest charges on extraordinary fees not yet authorized by the Court.

Declaration Re Attorney Fee Reimbursement filed 2-24-15 states the examiner notes expressed that the Court may require clarification of the attorney fee reimbursement in light of CA Rule of Court 7.700. Mr. Neilson submits the following in response: The rule of court cited is to prohibit payment from estate assets prior to court authorization. In this case, no estate assets were used to pay the litigation attorney fees at issue; they were paid from the petitioner's own assets. Reimbursement is now sought to obtain court approval of reimbursement. This procedure was contemplated by the settlement of the litigation, which settlement agreement, approved by this Court (Judge Oliver), provided that the settlement agreement will not impair or impede Janette's right to petition the probate court for reimbursement of some or all of her attorney's fees and costs incurred in the litigation from the estate (attached). Petitioner is following that contemplated procedure and is now seeking the Court's approval.

SEE ADDITIONAL PAGES

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Objections were filed 3-23-15 by Joanne E. Dawson. (Note: The caption indicates that Ms. Dawson is filing the objections "Oh Behalf of Respondents" including herself, David A. Thomas, Sandra L. Thompson and Steven Thomas; however, Ms. Dawson is not an attorney, and the Objections are only verified by Ms. Dawson, Steven Thomas, and David Thomas.)

Objector states shortly after the decedent passed away, Petitioner advised Objector that she planned to keep the decedent's bank accounts out of probate and divide the monies among beneficiaries after the will was probated. She also confided to David A. Thomas that she intended to "hide money" from Probate. On or about 2-10-15, Respondents received the petition and discovered that bank accounts had not been included in the inventories. Respondents are aware of at least three accounts (see Exhibit A) and believe others may exist at various banks.

Objector states the Disbursements Schedule shows that at least two separate accounts (pursuant to check numbers referenced) were used to pay the itemized debts, but there is no indication of the source or amount of funds used to fund the second account. Respondents also believe certain check numbers are unaccounted for and were used for unauthorized purposes.

Objector states the executor intentionally failed to make a single payment on the Mariposa mortgage despite the fact that moneys were available, and failed to take all steps reasonably necessary for the management, protection and preservation of the estate in her possession pursuant to Probate Code §9650(2)(b) or surrender the property to the beneficiary. Instead, she unreasonably and without just cause dragged out the probate process for nearly four years waiting for the mortgage holder to foreclose on the Mariposa property to the detriment of Steve Thomas. In doing so, she failed to manage the estate with ordinary care and diligence required by §9600.

Disbursements schedule indicates that Petitioner paid herself \$8,810.04 for "funeral expenses;" however the itemization confirms that few of the expenses were related to the funeral, and it is unclear which bank account the expenses were paid from.

Objector refers to several specific accounts, including funds inherited by the decedent from her mother's trust, believed to be held by the decedent at her death and states Petitioner advised Respondent David Thomas that she invested the inherited funds in her own house flipping/remodeling company, then later denied that. Respondents seek a full accounting of the investments that were not included in the estate.

Objector objects to petitioner's request for reimbursement of \$62,049.28 "paid from her own funds." Respondents note that several attorney invoices are merely duplicates of other attached invoices, and it appears the amount actually paid was \$30,395.20. Respondents further allege the payments were made from the decedent's accounts.

Objector states there were insufficient receipts to cover the disbursements and it appears that the business (Drummond Company) and personal receipts and disbursements are lumped together on the same schedules. There is no explanation as to how disbursements were funded.

SEE ADDITIONAL PAGES

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Objector alleges that the accounting does not comply with Probate Code §§1060-1064, and Petitioner should be required to reimburse the estate for the value of assets not accounted for and not included. Based on the less than transparent handling of the decedent's estate, Petitioner is not entitled to the statutory fee requested. Further, Attorney Neilson failed repeatedly to provide documentation and failed to exercise his fiduciary duty to protect the estate for all beneficiaries and failed to timely bring the estate to closure is not entitled to receive the statutory attorney fee.

Objector requests that:

- 1. Janette Courtney shall be removed as Executor and shall receive no fee due to her failure to properly administer, protect, and prosecute Decedent's estate with reasonable care;**
- 2. Janette Courtney shall reimburse the estate for the \$8,810.04 for alleged "funeral expenses" that were actually paid from Decedent's accounts;**
- 3. Janette Courtney shall produce to Respondents all documentation requested as set forth in Exhibit E within 15 days;**
- 4. Janette Courtney shall provide a true and accurate accounting of all investments made by or on behalf of Decedent within 15 days;**
- 5. Janette Courtney shall reimburse Decedent's estate for the value of any and all assets that were required to be included in, but were withheld from, the probate of Decedent's estate;**
- 6. Janette Courtney shall have 15 days to answer interrogatories concerning Decedent's estate to be propounded by Respondents pursuant to California Probate Code §8870I**
- 7. Attorney Neilson shall, within 15 days, submit an accounting of actual dates and times spent on the prosecution of Decedent's estate;**
- 8. Residuary cash in Decedent's estate shall be applied to arrearages on the mortgage on the Mariposa property;**
- 9. Such further order as the Court deems proper and just.**

Petitioner Janette Courtney and Attorney Bruce Neilson filed declarations in response to Objections on 4-9-15. Petitioner states she informed Objector that the bank accounts on which she had joint ownership passed to her without administration and would not be part of the estate. She states she made no statement to David Thomas that she intended to hide money from probate. Objectors apparently did not understand that Petitioner had right of survivorship. Petitioner states she was informed by her mother that she cashed out her investments accounts long before her death.

As part of her investigation of potential estate assets, Petitioner went to various banks and asked for printouts of her mother's accounts, which show that Petitioner is the co-owner with right of survivorship. She was unable to get any information on the account used to run the Lucky Logger business in Mariposa and which account had paid the mortgage there.

The email referred to pertains to Dennis Thomas' interference with the probate process. He obtained possession of the vehicle in their mother's name without authorization and subsequently gave the vehicle to Steven Thomas, who continued the interference in the probate process by failing to give the vehicle back to Petitioner and instead used it and took it to a body shop due to damage. The vehicle dispute went into 2013 and Petitioner did not find out about the damage and that it was left at a body shop until then. Title had to be signed over due to storage fees.

SEE ADDITIONAL PAGES

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Petitioner states she was on her mother's accounts and wrote checks for household expenses. She states the decedent wanted the monies to go to Petitioner on her death and that is why she made Petitioner a co-owner and beneficiary. Attached is the email thread. Petitioner has always claimed these were accounts with right of survivorship and has provided documentation.

Petitioner states Ms. Dawson is incorrect – there was only one estate bank account used to pay the itemized debts. The first five check numbers are temporary checks provided by the bank until the ordered checks were delivered. See response for further explanation.

Petitioner states the mortgage on the Mariposa property was not included in the debts to be paid because the property was to go to Steve Thomas under the will, subject to the mortgage. Steve lived on the property and the mortgage had been made from the Lucky Logger account, which was under his control. He apparently stopped making the payments. Petitioner gave permission for the bank to discuss the account with Steve. It has been known since 2009 that the property was not worth the total owed and Petitioner could not justify estate funds to be spent on such an asset, so she left this for Steve Thomas to negotiate, since he lived on the property.

See declaration for explanation of funeral expenses and additional accounts.

Petitioner states she has reviewed the attorney's fee reimbursement request, which appeared correct pursuant to the invoices. She could not doublecheck because she was moving and records were unavailable. Upon review, Petitioner states she has paid the sum of \$48,695.20 to attorney Scott Ivy's firm. Petitioner realized that her husband had negotiated to reduce the fees. \$47,895.20 was paid from Petitioner's personal accounts.

Petitioner states she has tried to pursue the probate to the best of her ability. The litigation brought by a sibling was not resolved until dismissed in May 2013. The sale of the Visalia property was delayed by that litigation and did not close until May 2013. Thereafter there was the ongoing dispute re the vehicle. In 2014 they discussed and resolved to not dispute Steve Thomas' takeover of the Lucky Logger business, inasmuch as it was willed to him, even though the estate was stuck with the business' state tax lien of over \$11,000.00. For several months, Steve complained about the cost of a horse on the property where he lived, but they ultimately determined that the horse went with the ranch that was going to Steve. The final inventory was sent to the Probate Referee in December 2014. Petitioner understands some delay was also attributable to the press of business of her attorney as a sole practitioner.

Attorney Neilson's declaration provides additional information regarding the administration of the estate.

Attorney: Linda K. Durost (for Petitioner/Administrator Toni Richardson)

First and Final Report and Account of Administrator; for Allowance of Statutory Attorneys' Fees and Costs; Allowance of Statutory Administrator's Fees and for Final Distribution

DOD: 6/13/11		TONI RICHARDSON , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period 2/22/12 – 2/2015	NEED AMENDED ACCOUNTING based on but not limited to the following:
Cont. from		Accounting - \$172,500.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$172,500.00	<ol style="list-style-type: none"> 1. This estate was opened using a fee waiver. Filing fees are considered costs of administration. Therefore, the filing fee of \$435.00 is now due. 2. Corrected Inventory and Appraisal filed on 2/10/15 was not completed by the probate referee as required. 3. Creditor's Claim of DMC filed on 4/27/12 in the amount of \$358.63 was not addressed. Need Allowance or Rejection of Creditor's Claim. 4. Escrow closing statement shows that the Administrator received \$110,594.07 from the sale of the real property. The proceeds were ordered into a blocked account. Receipt for Blocked account shows a deposit of \$105,594.07. A difference of \$5,000. Need explanation. 5. Petition states all funds were held in an interest bearing account; however, there is no interest listed.
<input checked="" type="checkbox"/>	Verified	Ending POH - \$106,106.46	
<input checked="" type="checkbox"/>	Inventory	Attorney - \$4,393.00	
<input checked="" type="checkbox"/>	PTC	Administrator - \$4,393.00	
<input checked="" type="checkbox"/>	Not.Cred.	Attorney costs (filing fee) - \$435.00	
<input checked="" type="checkbox"/>	Notice of Hrg	Administrator costs/creditor's claim - \$22,964.00	
<input checked="" type="checkbox"/>	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	2/22/12	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		Distribution, pursuant to intestate succession, is to:	
		Toni Richardson - \$36,960.73	
		Bill Richardson - \$36,960.73	
			Reviewed by: KT
			Reviewed on: 5/5/15
			Updates:
			Recommendation:
			File 3 - Bonham

6. Warren Felger was the former attorney in this case. Therefore he is entitled to a portion of the statutory attorney fees. Need agreement from the attorneys as to apportionment of the attorney fees.
7. Accounting should begin with the property on hand on the date of death. Therefore the beginning property on hand should be \$178,080.00.
8. Statutory fees are calculated incorrectly. The correct fee base should be \$172,550 (\$178,500.00, Inventory and appraisal partial no. 1, filed on 4/16/13 plus \$2,550.00, corrected inventory and appraisal filed on 2/10/15 less \$5,500.00 loss on sale of real property. Therefore the correct statutory fee is \$6,450.00.
9. Petition states Petitioner/Administrator submitted and approved her own creditor's claim in the amount of \$22,964.00. Creditor's claims of the personal representative or their attorney must be submitted to and approved by the court. Probate Code §9252. It should be noted that the charges listed are for upkeep of the property during the administration therefore it is not a creditor's claim but a cost of administration and should be included in the accounting as such.
10. Creditor's claim of Toni Richardson includes a payment to herself of \$200 on 1/26/12 without identifying what this payment is for.
11. Creditor's claim of Toni Richardson includes several charges to DMV that need clarification (noting that there is only one vehicle in the estate, a 1998 Saturn that petitioner distributed to herself):
 - a. An unidentified date sometime in April 2012 – Car tags - \$173.50
 - b. 7/28/12 – car tags - \$31.00
 - c. 10/2/12 – DMV - \$100.00
 - d. 5/13/13 – Cash DMV - \$153.00
 - e. 5/7/13 – DMV renewal - \$157.00
12. Creditor's claim of Toni Richardson includes an entry on 3/10/13 for \$500 to Warren Felger for filing fees. This item needs more information. Filing fees for what?
13. Creditor's claim of Toni Richardson includes a payment of \$554.00 to Advanced Court Services – Paralegal. This does not appear to be a reimbursable cost.
14. Disbursement schedule must be itemized and comply with Probate Code §1062(b)
15. Petitioner states she distributed the jewelry valued at \$500.00 to her brother/beneficiary Bill Richardson and the 1998 Saturn valued at 1,550.00 to herself; however, there are no offsets in the distribution and the remaining cash is being distributed 50% to each beneficiary. Declaration of Toni Richardson filed on 4/14/15 states she split the jewelry between herself and her brother, Bill Richardson. Need clarification, was the jewelry distributed to Bill or was distributed equally between Bill and Toni?
16. Declaration of Toni Richardson filed on 4/14/15 states there was a travel trailer valued at \$5,000.00 that was sold prior to the decedent's death. The proceeds of the sale were given directly to Bill Richardson, again prior to the decedent's death. Petitioner states as an offset to the \$5,000 gift to her brother she took the 1998 Saturn. Gifts made prior to the death of the decedent should not be considered during the administration of this estate. Therefore, Bill Richardson would be entitled to ½ of the vehicle.
17. Declaration of Toni Richardson filed on 4/14/15 states she put the decedent's belongings in storage and subsequently sold them for \$900 using the \$900 for miscellaneous expenses of the administration. The \$900 should be included in the accounting along with any expenses of administration paid.

Status Hearing Re: Filing of the Final Accounting

DOD: 2-23-09	DYANNA MATTHEWS was appointed executor with Limited IAEA authority and without bond on 1/14/13.	NEEDS/PROBLEMS/COMMENTS: 1. Need petition for final distribution.
	Letters issued on 1/22/13.	
Cont. from 012215	Inventory and appraisal, partial no. 1 filed on 6/21/13 showing a value of \$126,673.00	
Aff.Sub.Wit.		
Verified		
Inventory	Inventory and appraisal, final filed on 9/16/13 showing a value of \$6,033.00.	
PTC		
Not.Cred.	First Report and Account of Personal Representative and Petition for Approval and Settlement Thereof was heard on 06/26/2014.	
Notice of Hrg		
Aff.Mail	Minute Order of 06/26/2014 states the petition was granted and the order is to be signed ex parte. Order signed Ex Parte on 03/16/2015.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Minute Order of 06/26/2014 set this matter for the filing of the Final Accounting.	
Conf. Screen		
Letters	Status Report filed 03/02/2015 states the estate consisted of almost entirely of the former family home of the decedent, occupied by one of the decedent's children. The administration was impaired by the bankruptcy of the occupant, the exhaustion of the liquid funds of the Estate, and the initiation of foreclosure proceedings by the holder of the deed of trust on the property. When the property was vacated by the occupant, the personal representative diligently undertook to liquidate the real property. She advanced personal funds to cure the default and forestall the foreclosure, petitioned the court for instructions relating to this advance, listed the property for sale, sold the property and had the sale confirmed, and deposited the net proceeds in blocked account.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	The personal representative filed her first account, covering the period through 02/28/2014, which was approved by the Court on 06/26/2014. The personal representative thereafter investigated the tax obligations of decedent. Not finding records of filing she requested a filing transcript from the IRS to confirm that returns had been filed. She has not yet received the transcripts and the estate therefore is not in a condition to be closed.	
<u>Please see additional page</u>		

Reviewed by: LV
Reviewed on: 05/05/2015
Updates:
Recommendation:
File 4 - Brazeal

On 01/22/2015, the court ordered counsel and the personal representative to appear on 03/05/2015 for a status report on the second or final accounting. On 01/28/2015, the building wherein Robert P. Garcia, counsel for the personal representative maintained his office and the records of this estate, including expenses incurred relating to the sale of the real property after the period of the first account, was partially destroyed in a fire. The building was red-tagged and counsel was unable to recover any files or records for over a week, and has not been permitted further access. Counsel was permitted 15 minutes thereafter to recover materials from the damaged building and was able to recover the files for this proceeding in a water-logged state, along with 5 cubic feet of other damaged records and files. Counsel froze the documents to prevent further deterioration and now must thaw, separate, dry and copy the documents to assist in preparation of the second accounting.

Counsel requests continuance of the status report for 60 days to permit filing of the second account.

5 Theresa Rojas Sanchez (Estate) Case No. 13CEPR00028

Attorney

Durost, Linda K. (for Mindy L. Shirley – Petitioner)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 12/19/12	MINDY L. SHIRLEY , friend, is Petitioner, and requests appointment as Successor Administrator of the Estate with Full IAEA and with bond set at \$400,000.00.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of the Notice of Hearing along with a copy of the Petition on the Franchise Tax Board, pursuant to their request for Special Notice. Note: If the petition is granted, status hearings will be set as follows: • Wednesday, May 27, 2015 at 9:00 a.m. in Department 303, for the filing of the bond. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required. Note: Daniel T. McCloskey's Petition for Attorney's Fees and Costs is also on calendar for 05/27/15.
Cont. from	MANUEL ROJAS was appointed as Administrator with full IAEA authority and without bond on 2/14/13. Order filed on 8/16/13 ordered the bond be set at \$400,000.00. MANUEL ROJAS died on 12/8/13 leaving a vacancy in the office of personal representative.	
<input type="checkbox"/> Aff.Sub.Wit.	PAT HERNANDEZ , sister, was appointed Successor Administrator with full IAEA and bond set at \$400,000.00 on 03/19/14. PAT HERNANDEZ died on 03/03/15 leaving a vacancy in the office of personal representative again.	Reviewed by: JF Reviewed on: 05/05/15 Updates: Recommendation: File 5 - Sanchez
<input checked="" type="checkbox"/> Verified	Inventories and appraisals filed to date total \$396,629.05.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Pro Per Petitioner: Edward Molloy, III, Administrator

First and Final Account and Report of Administrator; and (1) Petition for Settlement, (2) Allowance of Commissions and Fees, and (3) Final Distribution

DOD: 5/23/2013		EDWARD MOLLOY, III , son and Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 5/23/2013 – 1/31/2015	1. Need <i>Notice of Hearing</i> and proof of service of notice to the following person pursuant to Probate Code §1220 and pursuant to § 11000 for settlement of the account: • DANIEL D. MOLLOY , son.
Cont. from		Accounting - \$148,817.89	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$148,817.89	2. <i>Schedule D, Property on Hand</i> states the balance of the estate consists of cash of \$35,424.21 . <i>Schedule F, Requested Distribution</i> , sets forth the total of \$35,859.21 as the assets to be distributed, which exceeds the property on hand. Need clarification and amended proposed distribution.
<input checked="" type="checkbox"/>	Verified	Ending POH - \$ 35,424.21 (real property foreclosed; all cash)	
<input checked="" type="checkbox"/>	Inventory	Administrator - \$1,919.15 (less than statutory)	3. <i>Petition</i> does not address the disposition of the following inventoried assets of the estate, nor does the proposed order request distribution of these assets: • Ford Ranger, appraised at \$2,000.00 ; • Yamaha Scooter, appraised at \$2,500.00 ; • Aluminum Fishing Boat, appraised at \$500.00 ; • Household furniture, appraised at \$3,000.00 ; • Appliances, electronics, misc., appraised at \$3,300.00 ; Need explanation, revised proposed distribution, and revised proposed order.
<input checked="" type="checkbox"/>	PTC	Reimbursement - \$375.06 (reimbursement to Administrator; balance remaining due from total costs of \$2,715.33, of which \$2,340.27 is <u>already paid for without Court order</u> ; for funeral expenses, property maintenance, filing fees, publication; receipts attached;)	
<input checked="" type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	021114	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Attorney Cervantes, Robert (for Marcus Bravo – father/Objector)

Petitioner Carrion, Maria (pro per – petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		<u>TEMPORARY EXPIRES 05/07/15</u>	NEEDS/PROBLEMS/COMMENTS:
		MARIA CARRION , maternal grandmother, is Petitioner.	1. Need <i>Notice of Hearing</i> .
		Father: MARCUS BRAVO – served in Court by Deputy on 03/18/15	2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:
		Mother: ALEXANDRA ZEPEDA	a. Alexandra Zepeda (mother) – personal service required
		Paternal grandfather: UNKNOWN	b. Paternal grandfather – service by mail sufficient
		Paternal grandmother: APRIL REAL	c. April Real (paternal grandmother) – service by mail sufficient
		Maternal grandfather: MANUEL ZEPEDA	d. Manuel Zepeda (maternal grandfather) – service by mail sufficient
		Petitioner states [see Petition for details].	3. Need UCCJEA.
		Objection to Guardianship by Marcus Bravo, father, filed 04/24/15 states: [see file for details].	
		Court Investigator Samantha Henson filed a report on 05/01/15.	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input checked="" type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 05/05/15
			Updates:
			Recommendation:
			File 7 - Bravo

8A Lorraine Keehn (CONS/P)**Case No. 14CEPR00474****Atty Walters, Jennifer L. (Court appointed for Proposed Conservatee)****Atty Rosenbalm, Rochelle (Pro Per Conservator)****Petition for Substituted Judgment [§§ 2580(a)(1) and 2580 (b)(11)]**

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: Continued from 3-5-15, 4-9-5 The following issues remain: 1. The settlement agreement referenced is not attached to the petition. 2. Petitioner does not provide copies of the trust, the 2002 modification, or the 2014 modifications. The Court may require this documentation pursuant to Probate Code §§ 2583(f), 2586. 3. This petition does not provide specifics as to what changes are being made to the trust. The Court may require the proposed documentation for review, as it appears the proposed changes do more than simply nullify the 2014 modifications. 4. Need order.	
Cont 030515, 040915				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			X
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skc				
Reviewed on: 5-5-15				
Updates:				
Recommendation:				
File 8A - Keehn				

8A

Atty Rosenbalm, Rochelle (Pro Per – Conservator)

Atty Matlak, Steven M. (for Linda Courtney – Daughter – Petitioner)

Atty Walters, Jennifer L. (Court appointed for Proposed Conservatee)

Probate Status Hearing RE: Filing of Proof of Bond

		<p>ROCHELLE ROSENBALM, family friend, was appointed as Conservator of the Person with medical consent powers and Conservator of the Estate with bond set at \$1,003,640.00 on 12/08/14.</p> <p>Minute Order from hearing on 12/08/14 set this matter for a status hearing regarding filing of the bond on 01/26/15.</p> <p>Letters of the Person only were issued on 01/14/15.</p> <p>A Status Report was filed by Attorney Jared Marshall of Dowling Aaron Incorporated on 1-23-15. Attorney Marshall states he spoke with Ms. Rosenbalm, who is unrepresented, about the status of the bond on 1-8-15. She stated she was working diligently to obtain bond, but was having difficulty due to the amount. On 1-23-15, Ms. Rosenbalm informed him that she was still unable to obtain a bond, but was working with Jennifer Walters, court-appointed counsel for the Conservatee, to remedy the situation.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 04/09/15 Minute Order from 04/09/15 states: The Court orders bond reduced to \$774,480.48.</p> <p>1. Need bond in the amount of \$774,480.48 and/or current written status report.</p>
Cont. from 012615, 040915			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 05/05/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8B - Keehn</p>	

DOD: 11/3/13		MARYANN W. GIBBS , Spouse and Administrator with Full IAEA without bond, is Petitioner. Accounting is waived I&A: \$52,500.00 (Community property cash settlement relating to Decedent's wages) POH: \$52,500.00 Administrator (Statutory): Waived Attorney (Statutory): \$1,050.00 Closing: \$500.00 Distribution pursuant to intestate succession is to: Maryann W. Gibbs: \$26,250.00 representing Maryann W. Gibbs' community property interest in the settlement, plus \$24,700.00 representing Decedent's community property interest in the settlement, less attorney's fees and closing reserve.	NEEDS/PROBLEMS/COMMENTS:	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/o
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
<input checked="" type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
<input checked="" type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 5/5/15	
			Updates:	
			Recommendation: SUBMITTED	
			File 9 - Gibbs	

Attorney: Gregory J. Roberts, for Kandis Bragg, sister

Petition to Establish Special Needs Trust

		KANDIS BRAGG, sister, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 3/12/2015 per request of counsel.
		Petitioner requests establishment of the GARY CHARLES ALLEN SPECIAL NEEDS TRUST pursuant to 42 USC § 1382(c)(a)(3), and Probate Code §§ 3604 and 3611.	Notes for background: <ul style="list-style-type: none"> Minute Order dated 2/5/2015 states the Court advises Mr. Roberts that bond or a blocked account would be required as well as compliance with the California Rules of Court. Attorney's Status Declaration filed 2/25/2015 states: The amount accumulated by CALPERS on behalf of the SNT Beneficiary since the death of Donna Allen on 3/12/2014 is ~\$5,749.04, based on \$522.64 per month for 11 months; monthly payments of this amount will continue to accrue until the establishment of the SNT, which is necessary for the preservation of the Beneficiary's public benefits; the annual income would amount to \$6,271.68; in consideration of the Court's indication that a bond would be required of the trustee; that the trustee would be required to regularly account to the Court for the use of funds; and the cost to the trust of bond and accountings, Petitioner is in the process of investigating other, less expensive options which might protect the Beneficiary's benefits without Court involvement.
Cont. from		~Please see Petition for details~	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/S		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			~Please see additional page~
			Reviewed by: LEG
			Reviewed on: 5/6/15
			Updates:
			Recommendation:
			File 10 – Allen

NEEDS/PROBLEMS/COMMENTS, continued:

1. *Petition* and the proposed special needs trust (SNT) do not include any provisions of California Rule of Court (CRC) 7.903. Pursuant to Local Rule 7.19(B), trusts funded by court order in Fresno County must comply with CRC 7.903; therefore, the Petitioner's proposed SNT must comply with CRC 7.903.
2. Bond is required pursuant to Local Rule 7.19(B) and CA Rule of Court 7.903(c)(5) for trusts created and funded by Court order. However, depending upon the information provided in response to the issue raised regarding the initial funding amount of the SNT, the Court may in the alternative authorize the SNT funds be placed into a blocked account pursuant to Local Rule 7.8.1(I).
3. Proposed SNT contains terms such as authority of the Trustee to purchase and maintain real property (Article Two, Section C), designation of successor trustees (Article Four, Section A), and several other terms that appear to be inappropriate for a special needs trust established in accordance with this Court's practice pursuant to the Local Rules, the California Rules of Court, the Probate Code, and other applicable statutory provisions. **Note:** To facilitate revision of the proposed SNT, a "Working Draft" of the proposed SNT has been prepared for reference, which contains suggestions and proposed changes for potential revisions to the terms of the SNT. The Working Draft was scanned and faxed to Attorney Gregory Roberts on **2/4/2015** for consideration of proposed changes.
4. Need revised proposed order which contains the complete terms of the **GARY CHARLES ALLEN SPECIAL NEEDS TRUST** (in the form of the entire SNT document attached with the signature line for the Court on the last page of the SNT) for Court approval and signature, and which complies with CA Rule of Court 7.903(b) and Local Rule 7.19(B) and (D), requiring that the Court order creating or approving the funding of a trust must provide that the trust is subject to the continuing jurisdiction of the Court.
5. Need *Order to Deposit Money into Blocked Account*, if Court requires this alternative to the bond requirement, which order should specify: (1) the initial **dollar amount** to be deposited that will fund the SNT, and (2) that payments of **~\$500.00** are authorized to be deposited into the blocked account each month.

Note: If petition is granted, Court will set status hearings as follows:

- **Monday, June 22, 2015 at 9:00 a.m. in Dept. 303** for filing of (the bond or) proof of deposit in blocked account; and
- **Thursday, July 28, 2016 at 9:00 a.m. in Dept. 303** for filing of the first account of the SNT.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

Dept. 303, 9:00 a.m. Thursday, May 7, 2015

Petitioner Ureta, Victor Anthony, III (Pro Per – Brother – Petitioner)

Petitioner Ureta, Michael (Pro Per – Brother – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

See petition for details.			NEEDS/PROBLEMS/COMMENTS: 1. If diligence is not found, need notice to the father and paternal grandparents pursuant to Probate Code §1511.
	Aff.Sub.Wit.		Reviewed by: skc Reviewed on: 5/5/15 Updates: Recommendation: File 11 - Luna
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Petitioner **Jaime Abelardo Garcia (Pro Per – Paternal Grandfather – Petitioner)**

			See petition for details.	NEEDS/PROBLEMS/ COMMENTS:
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 5/5/15	
			Updates:	
			Recommendation:	
			File 12 - Garcia	

Petitioner Lucido, Janet (Pro Per – Daughter – Petitioner)
 Petitioner Barsom, Jean (Pro Per – Daughter – Petitioner)
 Petitioner Givens, Julie (Pro Per – Daughter – Petitioner)
 Petitioner Keylon, Jeri (Pro Per – Daughter – Petitioner)
 Petitioner Manuszak, Edward (Pro Per – Son – Petitioner)
 Petitioner Carlson, Tom (Pro Per – Spouse – Petitioner)

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 11/26/14	TOM CARLSON , spouse, and Decedent's five children, JANET LUCIDO, JEAN BARSOM, JULIE GIVENS, JERY KEYLON, and EDWARD MANUSZAK , are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 042915	40 days since DOD	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	No other proceedings	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	I&A: \$140,000.00 (real property located at 3877 N. Atlas Way in Fresno)	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Decedent died intestate	
<input type="checkbox"/> Aff.Mail	Petitioners request Court determination that that the decedent's 100% separate property interest in the real property passes to them as follows:	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Tom Carlson: A 33.333% undivided interest	
<input type="checkbox"/> Letters	Janet Lucido: A 13.332% undivided interest	
<input type="checkbox"/> Duties/Supp	Jeri Keylon: A 13.332% undivided interest	
<input type="checkbox"/> Objections	Julie Givens: A 13.332% undivided interest	
<input type="checkbox"/> Video Receipt	Edward Manuszak: A 13.332% undivided interest	
<input type="checkbox"/> CI Report	Jean Barsom: A 13.332% undivided interest	
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 5/5/15
		Updates:
		Recommendation: SUBMITTED
		File 31 - Spenhoff

Attorney Heather H. Kruthers, for Petitioner Public Administrator

Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)

DOD: 1/20/2015		PUBLIC ADMINISTRATOR is Petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Full IAEA — OK	<p>Note: Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Wednesday, October 21, 2015 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Thursday, July 21, 2016 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Decedent died intestate.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Residence — Fresno Publication — Business Journal	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	<p>Estimated value of the Estate:</p> <p>Personal property - \$196,862.34 Real property - \$ 35,000.00</p> <hr/> <p>Total - \$231,862.34</p>	
<input type="checkbox"/>	Aff.Mail No known relatives		
<input checked="" type="checkbox"/>	Aff.Pub.	Probate Referee: Rick Smith	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	<p>Reviewed by: LEG</p> <p>Reviewed on: 5/5/15</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 14 - Scott</p>	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Attorney Heather H. Kruthers, for Petitioner Public Administrator

Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)

DOD: 2/25/2015		PUBLIC ADMINISTRATOR is Petitioner and requests appointment as Administrator without bond. Full IAEA — OK Decedent died intestate. Residence — Fresno Publication — Business Journal	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Court will set status hearings as follows: <ul style="list-style-type: none"> Wednesday, October 21, 2015 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Thursday, July 21, 2016 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Estimated value of the Estate: Personal property - \$711,066.35 Total - \$711,066.35 Probate Referee: Rick Smith	
<input type="checkbox"/>	Aff.Mail		No known relatives
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: LEG

Reviewed on: 5/5/15

Updates:

Recommendation: SUBMITTED

File 15 - Patrick

Attorney Stephen M. Denning, for Petitioner Randy L. Ghan

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 12/2/2014	RANDY L. GHAN , companion and named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Note: Court will set status hearings as follows:
	Full IAEA – OK	<ul style="list-style-type: none"> Wednesday, October 21, 2015 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Thursday, July 21, 2016 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.
Cont. from	Will Dated: 1/18/2013	Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Residence: Fresno	
<input checked="" type="checkbox"/> Aff.Mail	Publication: Business Journal	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Estimated value of the Estate:	
<input type="checkbox"/> Conf. Screen	Personal property - \$355,345.00	
<input checked="" type="checkbox"/> Letters	Annual Income - \$ 17,775.00	
<input checked="" type="checkbox"/> Duties/Supp	Total - \$373,420.00	
<input type="checkbox"/> Objections	Probate Referee: Steven Diebert	
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: LEG
<input type="checkbox"/> Status Rpt		Reviewed on: 5/5/15
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation: SUBMITTED
<input type="checkbox"/> FTB Notice		File 16 – Hodson

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 7/25/14		ANITA MARIE FERGUSON , Named executor without bond, is Petitioner. Full IAEA – need publication Will dated 3/14/04 Residence: Fresno Publication: Need publication Estimated value of estate: Personal property: \$8,000.00 Real property: \$31,000.00 (\$55,000.00 encumbered for \$24,000.00) Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: 1. <u>Need clarification re Decedent's name:</u> Petitioner spells the decedent's last name "FLEMMING" on the petition, but elsewhere spells it "FLEMING." Note: The will appears to reflect "FLEMING" in the decedent's handwriting on Page 1. 2. <u>Need Proof of Subscribing Witness signed by at least one witness.</u> (Note: Petitioner filed a Proof of Subscribing Witness and a Proof of Holographic Instrument signed by herself; however, this is insufficient, as it does not appear that she is one of the subscribing witnesses, and further she is an interested party as sole heir.) 3. <u>Need Notice of Petition to Administer Estate and proof of service on Anne Todd Cortez (sister) pursuant to Probate Code §8110.</u> 4. <u>Need proof of publication pursuant to Probate Code §8120.</u> 5. This case was opened with a fee waiver. Please note that upon distribution, all Court filing fees will be due. <u>Note:</u> If granted, the Court will set status hearings as follows: <ul style="list-style-type: none"> Thurs Oct. 8, 2015 for filing the Inventory and Appraisal Thurs Aug. 11, 2016 for filing the first account or petition for final distribution. If the proper items are on file prior to the status hearing dates, the status hearings may be taken off calendar.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg <input checked="" type="checkbox"/>		
<input type="checkbox"/>	Aff.Mail <input checked="" type="checkbox"/>		
<input type="checkbox"/>	Aff.Pub. <input checked="" type="checkbox"/>		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

DOD: 08/27/97		JUDY McADAMS , daughter, is Petitioner and requests appointment as Administrator with bond set at \$45,000.00. Full IAEA – OK Decedent died intestate Residence: Fresno Publication: The Business Journal <u>Estimated Value of the Estate:</u> Real property - \$45,000.00 Probate Referee: STEVEN DIEBERT	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> The Court will set status hearings as follows: <ul style="list-style-type: none"> • Thursday, Oct. 8, 2015 at 9:00am in Dept. 303 for filing the Inventory and Appraisal • Thursday, Aug. 11, 2016 at 9:00am in Dept. 303 for filing the first account or petition for final distribution. If the proper items are on file prior to the status hearing dates, the status hearings may be taken off calendar.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF Reviewed on: 05/05/15 Updates: Recommendation: SUBMITTED File 18 - Lilly

		PATRICIA M. LOPEZ , maternal grandmother/adoptive mother, is Petitioner and requests appointment as Conservator of the Person. Voting rights affected. Petitioner states [see Petition for details]. Court Investigator Dina Calvillo filed a report on 04/24/15. Court Investigator Dina Calvillo filed a Supplemental Report on 04/28/15.	NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 04/10/15. Voting rights affected, need minute order. 1. The proof of service attached to the Citation filed 04/10/15 is incomplete and does not state the date and time that the Citation and copy of the Petition was personally served on the proposed conservatee.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv. w/		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: JF Reviewed on: 05/06/15 Updates: Recommendation: File 19 - Alvarez	

Petitioner: Patricia Carter (pro per)

Petition - Appoint Temporary Guardian

<u>GENERAL HEARING 6/15/15</u>			NEEDS/PROBLEMS/COMMENTS:
PATRICIA CARTER, maternal grandmother, is petitioner.			Continued from 4/23/15. Minute order states the Court orders the Court Investigator to contact CPS to determine and report back to the Court the status of the CPS case regarding this minor, and have the agency check on the welfare of this minor and sibling Joe Trujillo, IV.
Please see petition for details.			
Court Investigator Report filed on 5/5/15			1. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or consent and waiver of notice or declaration of due diligence on: a. Gilbert Quiroz (father)
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	W/	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: KT			
Reviewed on: 5/6/15			
Updates:			
Recommendation:			
File 20 – Quiroz			

Petition - Appoint Temporary Guardian

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			<p><u>Note:</u> The minor is currently in the custody of her Paternal Great-Grandparents Charles Hudson and Susan Hudson. Proof of Personal Service filed 5/5/15 indicates that were personally served regarding this petition on 4/30/15.</p>
	Aff.Sub.Wit.		<p>1. Charles Nix (Father) was personally served on 5/5/15, which is only two days prior to the hearing. Probate Code §2250(e) requires five court days' notice.</p> <p>2. Petitioner did not file the mandatory Judicial Council Notice of Hearing Form GC-020. Although Petitioner filed "Proof of Personal Service" listing this form and the petitions as served on the parties, this form, which includes proof of service, is mandatory in probate guardianship proceedings.</p> <p>3. Need Order. Local Rule 7.1.1.F.</p>
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 5/6/15
			Updates:
			Recommendation:
			File 21 - Nix